APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/396,706	09/15/1999	ANOOP GUPTA	MS1-387US	7832

22801   7590   04/25/2002

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EXAMINER
LUU, SY D

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 04/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _25 January 2002 and 05 October 1999_ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-48_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-48_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _4.6_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claims 19-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 19 recites "the current presentation time of the media content" on line 4. There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4.   Claims 1, 3, 10-12, 14, 23, 27-33, 36, 39-42, and 44-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Eberman et al. ("Eberman", US 6,173,287 B1).

As per independent claim 1, Eberman teaches a networked client/server system, comprising:

a network annotation server (fig. 1A; col. 2, lines 35-36; *indexed database server 32*);

a network media server (fig. 1A; *media database server / library 28*);

a client that communicates with both the annotation server and the media server over a

data communications network (fig. 1A; *browser client 20*);

multimedia content available from the media server (col. 2, lines 36-37);

a plurality of annotations, corresponding to the multimedia content, available from the

annotation server, each of the plurality of annotations including annotation content and a

temporal range identifier that identifies a segment of the multimedia content to which the

annotation corresponds (fig. 10; col. 17, lines 1-48); and

wherein the client supports a graphical user interface that presents a plurality of

annotation identifiers corresponding to the multimedia content and that enables a user to request

selected ones of the plurality of annotations, based on the plurality of annotation identifiers, and

to render the requested annotations (col. 8, lines 18-32).

As per independent claims 3 and 10-11, Eberman teaches a graphical user interface for

adding annotations to an annotation database from a network client, the graphical user interface

comprising:

an annotation content field via which a user can enter content for a new annotation to the

network client; and an annotation type selector presenting a plurality of annotation media types,

whereupon selection of one of the plurality of annotation types causes the network client to

change presentation of the annotation content field based on the selected annotation type; an add

button, whereupon selection of the add button causes the network client to forward the content

from the annotation content field to an annotation server to be added to an annotation database;

and temporal range information identifying a segment of media content to which the annotation

corresponds (figs. 8-10; col. 16, lines 11 – 67).

Eberman does not expressly disclose an annotation content field, an annotation type selector, an add button and temporal range information in a GUI as claimed. However, these GUI elements would have been inherently part of Eberman's GUI so as to provide users with a means for entering the annotation information as depicted in the database tables as shown in figures 8-10.

As per claims 12 and 14, Eberman teaches a graphical user interface at a network client to search for annotations corresponding to media content in an annotation database, the graphical user interface comprising:

an annotation set selector via which a user can identify one or more of a plurality of annotation sets to be searched; a search criteria portion via which a user can identify search criteria; and a query button, wherein actuation of the query button causes the network client to forward the identified one or more annotation sets and the identified search criteria to an annotation server to search the annotation database; and wherein the search criteria portion includes one or more of: an annotation creation date entry field, a keyword entry field, and a temporal range entry field (col. 8, lines 18-32).

Claims 23 and 27 are similar in scope to claim 10, and are therefore rejected under similar rationale.

Claim 28 is similar in scope to claim 27, and is therefore rejected under similar rationale.

As per claim 29, Eberman teaches the data associated the user interface comprises an annotation set identifier (col. 7, lines 46-51; *object identification number*).

Claim 30 is similar in scope to claim 11, and is therefore rejected under similar rationale.

As per claim 31, Eberman teaches one or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 28 (abstract).

Claims 32, 36 and 39-40 are similar in scope to claim 30, and is therefore rejected under similar rationale.

Claim 33 is similar in scope to claim 30, and is therefore rejected under similar rationale.

Claim 41 is similar in scope to claim 31, and is therefore rejected under similar rationale.

Claim 42 is similar in scope to claim 32, and would have been therefore rejected under similar rationale. Eberman further teaches the presenting of a plurality of likely temporal locations of the media content to associate the new annotation with (figs. 12-13; col. 15, lines 4-11).

As per claims 44-45, Eberman teaches for each of the plurality of likely temporal locations, displaying a visual indication of the likely temporal location, wherein the visual indication includes one or more of: a video frame of the media content, a numerical presentation time of the media content, and an indicator on a graphical time bar (figs 12-13).

Claim 46 is similar in scope to claim 31, and is therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

5.   The. following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 4-6, 8, 13, 15-22, 24, 26, 34-35, 37-38, and 47-48   are rejected under 35

U.S.C. 103(a) as being unpatentable over Eberman et al. ("Eberman", US 6,173,287 B1).

As per claims 4-6, by disclosing that "annotations could be, for example, a piece of

information relating to data in a particular form such as, for example audio or video data" (col. 2,

lines 29-31), it would have been obvious to an artisan that Eberman teaches the plurality of

annotation types to include audio, video, and URL, as well as suggests text to be an option,

wherein the annotation content field comprises a uniform resource locator (URL)/text field when

an URL/text type is selected respectively. Text as an option would provide an important form

for all annotations of multimedia contents.

As per claim 8, although Eberman teaches a plurality of annotation type selector,

Eberman does not explicitly disclose the type selector to comprise a radio button for each of the

plurality of annotation types. Official Notice is given that the use of radio button as a means for

selecting an item from a list of items in a menu is well known in the art. It would have been

obvious to an artisan at the time of the invention to combine the use of radio buttons with

Eberman GUI in order to provide users with an effective means for selecting an item that is

mutually exclusive from a list of items in a menu.

As per claim 13, Eberman teaches the GUI to comprise of a control, whereupon selection

of the control causes the network client to add, as an additional search criteria, a media content

identifier (fig. 11; col. 9, lines 12-31; and col. 21, lines 8-9). Although Eberman uses a button

instead of a check box, but since they are equivalent in function, it would have been obvious to

an artisan at the time of the invention that the implementation of either one of these features

would have been an implementation choice of preference.

As per claim 15, Eberman teaches the GUI to comprise a detail level selector via which a user can indicate an amount of data to be displayed for each annotation that matches the search criteria (col. 22, lines 63-67).

As per claims 16-18, Eberman teaches a graphical user interface for viewing, at a network client, annotations corresponding to media content, the graphical user interface comprising: an annotation identifier list via which an identifier for each of a plurality of annotations corresponding to the media content is displayed, the identifier including an indication of a type of content included in the annotation; an actuation mechanism to enable a user to select one of the annotation identifiers; wherein the type of content includes one or more of: audio content, text content, video content, and uniform resource locator (URL) content; and wherein the identifier for an annotation includes one or more of: an indication of an author of the annotation, an indication of an annotation set that the annotation belongs to, an indication of a date the annotation was created, and a summary of the annotation. (fig. 12; col. 22, lines 23-46).

Eberman does not explicitly disclose the selection of one of the annotation identifiers to cause the network client to highlight the annotation identifier. Official Notice is given that highlighting an item as a result of the item being selected is well known in the art. It would have been obvious to an artisan to include this feature with Eberman's GUI in order to provide users with a means for distinguishing a selected identifier from the unselected identifiers.

As per claim 19, Eberman teaches a mechanism to identify a particular identifier that corresponds to an annotation of the plurality of annotations with a temporal range having a beginning time closest to the current presentation time of the media content (col. 8, line 33 - col.

9, line 31; and col. 17, line 49 – col. 18, line 16; *the subjected identifier would be the very first identifier shown on the results query page*).

As per claim 20, Eberman does not disclose an arrow being used to indicate the particular identifier. Official Notice is given that the use of a visual icon associated with an item in a GUI is well known in the art. It would have been obvious to an artisan at the time of the invention to combine the use an icon such as that of an arrow with Eberman's GUI to further provide users to quickly identify a particular identifier through such a visually means.

As per claim 21, Eberman teaches the GUI to further comprise a preview portion via which annotation content for a selected one of the plurality of annotations is displayed (col. 22, lines 47-50).

As per claim 22, Eberman does not disclose a menu including a plurality of options identifying criteria to be used to order the annotation identifiers in the annotation identifier portion, whereupon selection of one of the plurality of options by a user causes the network client to arrange the annotation identifiers in the annotation identifier list in accordance with the criteria of the selected option. Official Notice is given that sorting annotation identifiers according to a preference options is well known in the art. It would have been obvious to an artisan at the time of the invention to include this feature with Eberman's GUI in order to provide users with different sorting choices.

Claims 24 and 26 are similar in scope to claims 19 and 21 respectively, and are therefore rejected under similar rationale.

As per claims 34-35, Eberman does not specifically disclose the use of a means to indicate acceptance or rejection while in the process of associating the new annotation with a

temporal location of the media content.   Official Notice is given that the use of a confirmation means, such as <OK> and <CANCEL>, at the end of a process is well known in the art. It would have been obvious to an artisan at the time of the invention to include such a means with Eberman's method in order to allow users with a chance to reconsider before committing the new annotation with a temporal location of a portion of the media content, or to associate the new annotation with another different portion of the media content.

As per claims 37-38, Eberman does not explicitly disclose the presenting to comprise displaying a video frame or a presentation time of the media content corresponding to the likely temporal location. Official Notice is given that the displaying of video frames and presentation time corresponding to a media location being reviewed for annotation is well known in the art. It would have been obvious to an artisan at the time of the invention to include such displays with Eberman's method in order to provide users with a visual means for verifying pertinent information about the media content being considered for the new annotations.

As per claims 47-48, Eberman teaches one or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to perform functions including:

presenting a graphical user interface at a client computer, the graphical user interface enabling a user to add a new annotation corresponding to media content; receiving a user request to add the new annotation; identifying a user request time that is a time, with reference to the presentation time of the media content, that the user request is received; and selecting, based on the user request time, a presentation time of the media content to associate the new annotation with, wherein the presentation time is a different time than the user request time, wherein the

selecting comprises selecting a begin time and an end time of the media content to define a segment of the media content to associate the new annotation with, and wherein the begin time is prior to the user request time and the end time is subsequent to the user request time (col. 8, line 18 – col. 9, line 31). While Eberman does not explicitly disclose the user request time with a starting and ending time codes to be a different time than the presentation time which consists also of a beginning and ending time, it would have been obvious to an artisan at the time of the invention that there would have been an instance where the query returns a media content with a presentation a time frame closest to the user requested time relative to both the starting and ending time. In such an instance, the user request time may be an inclusive portion (slice) of the media content, which would make the presentation begin time is prior to the user request time and the presentation end time is subsequent to the user request time.

7.   Claims 2 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eberman et al. ("Eberman", US 6,173,287 B1) in view of Sutton et al. ("Sutton", US 4,649,499).

        As per claim 2, although Eberman teaches the graphical user interface to include a plurality of option buttons, whereupon selection of one of the plurality of the option buttons, an associated action corresponding to the selected button is taken (fig. 11; *buttons 174-178*), Eberman does not teach the buttons to be user-configurable. Sutton teaches a GUI, wherein a series of user-configurable buttons associated with respective user-defined actions are provided (col. 3, lines 44-46). It would have been obvious to an artisan at the time of the invention to combine Sutton's teaching with Eberman's system in order to further provide more flexibility to user's capability in defining selectable options according to preference.

        Claim 25 is similar in scope to claim 2, and is therefore rejected under similar rationale.

8.   Claims 7 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eberman et al. ("Eberman", US 6,173,287 B1) in view of King et al. ("King", US 5,600,775).

As per claim 7, Eberman does not disclose the annotation content field to comprise, when an audio type is selected, a plurality of audio controls including one or more of: record, stop, pause, play, fast forward, and rewind. King teaches a method for annotating multimedia comprising a GUI comprising graphical elements such as buttons which provide control functions for media annotation such as record, stop, pause, play, fast forward, and rewind (fig. 2). It would have been obvious to an artisan at the time to combine King's control functions with Eberman's GUI in order to provide a means for controlling annotating functions.

As per claim 43, although Eberman teaches the presenting the plurality of likely temporal locations to comprise identifying a different one of the plurality of likely temporal locations to the user, Eberman does not teach the use of a rewind button to be actuated each time a different temporal location is to be identified. King teaches a rewind button for media annotation (fig. 2; button 53). It would have been obvious to an artisan at the time to combine King's rewind button with Eberman's method in order to provide a means for changing to a different temporal location as a likely candidate to be associated with the new annotation.

9.   Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eberman et al. ("Eberman", US 6,173,287 B1) in view of Hou et al. ("Hou", US 5,838,313).

As per claim 9, although Eberman teaches the use of an email feature (col. 9, lines 50-61), Eberman does not explicitly disclose an email field to identify a recipient to receive an email notification of the new annotation. Hou teaches a multimedia system wherein a dynamic annotation handler allows a user to record/playback annotations from the user input as well as

forwarding the annotations to other individuals via emails (col. 2, line 56 – col. 3, line 13). It would have been obvious to an artisan at the time to combine Hou's emailing feature with Eberman's GUI in order to provide a means for forwarding/informing pertinent recipients of the new annotations.

Information Disclosure Statement

10.   The information disclosure statement filed 11/21/2000 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Conclusion

11.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

deVries et al. (US 6,332,144 B1) teaches a technique for annotating media.

deVries et al. (US 6,311,189 B1) teaches a method for matching a query to a portion of media.

Matsuzawa et al. (US 6,085,185) teaches a retrieval method for contents from multimedia database.

Davis et al. (US 5,969,716) teaches a time-based media processing system.

Weber et al. (US 5,893,110) teaches a method for automatically constructing a database query for data assets associated with multimedia works.

Jain et al. (US 6,360,234 B2) teaches a video cataloger system with synchronized encoders.

Boreczky et al. (US 6,366,296 B1) teaches a media browser using multimodal analysis.

Kisor (US 5,809,250) teaches methods for creating and sharing replayable modules representative of web browsing session.

Anderson (US 5,583,980) teaches a time-synchronized annotation method.

Pavley et al. (US 6,317,141 B1) teaches a method for editing heterogeneous media objects in a digital imaging device.

Inquires

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is **(703) 305-0409**. The examiner can normally be reached on Monday - Thursday from 6:30 am to 4:00 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.
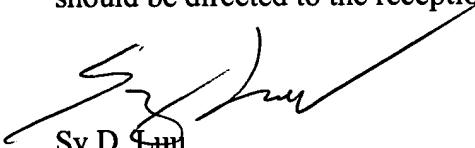
The fax number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]
(703) 746-7239 [Official Communication]
(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Sy D. Luu
Patent Examiner
April 17, 2002